

House Amendment 1086

PAG LIN

1 1 Amend House File 712 as follows:
1 2 #1. Page 1, by inserting before line 1, the
1 3 following:
1 4 <Section 1. Section 69.14A, subsection 1,
1 5 paragraph b, unnumbered paragraph 1, Code 2005, is
1 6 amended to read as follows:
1 7 By special election held to fill the office for the
1 8 remaining balance of the unexpired term. The
1 9 committee of county officers designated to fill the
1 10 vacancy in section 69.8 may, on its own motion, or
1 11 shall, upon receipt of a petition as provided in
1 12 paragraph "a" or "c", call for a special election to
1 13 fill the vacancy in lieu of appointment. The
1 14 committee shall order the special election at the
1 15 earliest practicable date, but giving at least thirty=
1 16 two days' notice of the election. A special election
1 17 called under this section shall be held on a Tuesday
1 18 and shall not be held on the same day as a school
1 19 election within the county.
1 20 Sec. _____. Section 69.14A, subsection 1, Code 2005,
1 21 is amended by adding the following new paragraph:
1 22 NEW PARAGRAPH. c. By appointment of the county
1 23 auditor, recorder, or treasurer by the committee of
1 24 county officers designated to fill the vacancy in
1 25 section 69.8. The appointment shall be made by
1 26 agreement of the member of the committee chosen to
1 27 fill the vacancy and the remaining members of the
1 28 board of supervisors. The officer appointed shall
1 29 continue to fulfill the duties of auditor, recorder,
1 30 or treasurer, as applicable, in addition to serving as
1 31 county supervisor. The appointment shall be for the
1 32 period until the next pending election as defined in
1 33 section 69.12, and shall be made within forty days
1 34 after the vacancy occurs. If the committee of county
1 35 officers designated to fill the vacancy chooses to
1 36 proceed under this paragraph, the committee shall
1 37 publish notice in the manner prescribed by section
1 38 331.305 stating that the committee intends to fill the
1 39 vacancy by appointment of the county auditor,
1 40 recorder, or treasurer to the office of county
1 41 supervisor but that the electors of the district or
1 42 county, as the case may be, have the right to file a
1 43 petition requiring that the vacancy be filled by
1 44 special election. The committee may publish notice in
1 45 advance if a supervisor submits a resignation to take
1 46 effect at a future date. The committee may make an
1 47 appointment to fill the vacancy after the notice is
1 48 published or after the vacancy occurs, whichever is
1 49 later.
1 50 However, if within fourteen days after publication
2 1 of the notice or within fourteen days after the
2 2 appointment is made, a petition is filed with the
2 3 county auditor requesting a special election to fill
2 4 the vacancy, the appointment is temporary and a
2 5 special election shall be called as provided in
2 6 paragraph "b". The petition shall meet the
2 7 requirements of section 331.306, except that in
2 8 counties where supervisors are elected under plan
2 9 "three", the number of signatures calculated according
2 10 to the formula in section 331.306 shall be divided by
2 11 the number of supervisor districts in the county.>
2 12 #2. Page 1, by inserting after line 4, the
2 13 following:
2 14 <Sec. _____. Section 69.14A, subsection 2, paragraph
2 15 b, unnumbered paragraph 1, Code 2005, is amended to
2 16 read as follows:
2 17 By special election held to fill the office for the
2 18 remaining balance of the unexpired term. The board of
2 19 supervisors may, on its own motion, or shall, upon
2 20 receipt of a petition as provided in paragraph "a" or
2 21 "c", call for a special election to fill the vacancy
2 22 in lieu of appointment. The supervisors shall order
2 23 the special election at the earliest practicable date,
2 24 but giving at least thirty=two days' notice of the

2 25 election. A special election called under this
2 26 section shall be held on a Tuesday and shall not be
2 27 held on the same day as a school election within the
2 28 county.>
2 29 #3. Page 1, line 20, by inserting after the word
2 30 <county> the following: <but that the electors of the
2 31 county have the right to file a petition requiring
2 32 that the vacancy be filled by special election>.
2 33 #4. Page 1, by inserting after line 26, the
2 34 following:
2 35 <However, if within fourteen days after publication
2 36 of the notice or within fourteen days after the
2 37 appointment is made, a petition is filed with the
2 38 county auditor requesting a special election to fill
2 39 the vacancy, the appointment is temporary and a
2 40 special election shall be called as provided in
2 41 paragraph "b". The petition shall meet the
2 42 requirements of section 331.306.>
2 43 #5. Title page, line 1, by inserting after the
2 44 word <Act> the following: <relating to vacancies in
2 45 certain county offices by>.
2 46 #6. Title page, line 2, by inserting after the
2 47 word <officers> the following: <and by allowing
2 48 certain county officers to assume the duties of
2 49 certain vacant county offices>.
2 50 #7. By renumbering as necessary.
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3 4 _____
3 5 GASKILL of Wapello
3 6 HF 712.702 81
3 7 sc/gg/260